

Management Committee

Business Item

Item: 2012-39

Meeting date: February 8, 2012

ADVISORY INFORMATION

Date: January 23, 2012

Subject: Technical Amendments to Legal Services Agreements; No Budget Impacts

District(s), Member(s):

Policy/Legal Reference: Minnesota Statutes § 473.129, subd. 3

Staff Prepared/Presented: Donald J. Muetting, General Counsel
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Division/Department: Office of General Counsel

Proposed Action

That the Metropolitan Council authorizes the General Counsel to amend legal services agreements to increase the maximum contract price as follows:

<u>Law Firm</u>	<u>Services</u>	<u>Term</u>	<u>Current Price</u>	<u>Proposed Increase</u>	<u>New Price</u>
Foley Lardner	Legal Services related to State v. 3M Contract No. 11P157	9/1/11 - 12/31/13	\$250,000	\$500,000	\$750,000
Landrum Dobbins	Legal Services related to Housing Issues Contract No. 02P073	9/1/02 - 12/31/12	\$150,000	\$100,000	\$250,000

Background

The Office of General Counsel procures outside legal services for various public law matters. The Contract Price set in each agreement represents a cap on the amount payable; it is a "ceiling," and not a guarantee or entitlement. Regardless of any Contract Price, the actual amount paid under a legal services agreement is based upon: actual services requested and rendered, and the budget amount(s) approved by the Metropolitan Council. In order for the Counsel to continue receiving legal services under each of its contracts, the Contract Price must be increased.

Rationale

The proposed amendment would allow the General Counsel to pay for litigation services for environmental services and essential housing related legal services.

Funding

No funding implications or impacts.

Known Support / Opposition

None